

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:22-cv-00108-D

The Travelers Home and Marine Insurance
Company,

Plaintiff

v.

CHRISTOPHER GOSS and WILLIAM D.
ANDREWS

Defendants.

**REPORT OF THE PARTIES'
PLANNING MEETING**

Fed. R. Civ. P. 26(f)

REPORT OF THE PARTIES' PLANNING MEETING

1. The following persons participated in a Rule 26(f) conference on June 21, 2022, by Zoom:
 - a. Justin K. Humphries representing The Travelers Home and Marine Insurance Company;
 - b. Kyle Nutt representing Defendant William Andrews; and,
 - c. Brian Akers representing the Defendant Christopher Goss.
2. Initial Disclosures. The parties will complete by July 22, 2022, the initial disclosures required by Rule 26(a)(1).
3. Discovery Plan. The parties propose this discovery plan:
 - (a) Discovery will be needed on these subjects:
 - (i) whether the subject insurance policy provides coverage to defendants for liability and property damage; and
 - (ii) whether the plaintiff wrongfully denied William Andrews claim for the subject policy for property damage.

- (b) Discovery will commence July 22, 2022, and will be completed by May 22, 2023.
- (c) The maximum number of Interrogatories by each party to another party is 25, including subparts. Responses shall be due in accordance with Rule 33 of the Federal Rules of Civil Procedure, unless extended by stipulation of the parties or by order of the Court.
- (d) The maximum number of Requests for Admission by each party to another party is 25, including subparts. Responses shall be due in accordance with Rule 36 of the Federal Rules of Civil Procedure, unless extended by stipulation of the parties or by order of the Court.
- (e) The maximum number of fact-witness depositions taken by each party shall be 10; the parties reserve the right to mutually agree to take additional depositions or to seek leave of court to take additional depositions.
- (f) Each deposition shall be limited to a maximum of 7 hours on the record unless extended by agreement of the parties or by order of the Court.
- (g) Expert disclosure under Rule 26(a)(2) shall be made as follows:
 - (i) The party bearing the burden of proof's expert disclosures and reports shall be due by Monday, January 23, 2023.
 - (ii) The parties' rebuttal expert disclosures and reports shall be due Wednesday, February 22, 2023.
- (h) Supplemental discovery responses shall be served no later than April 7, 2023.
- (i) The parties have stipulated that there are no electronically stored information issues.

4. Other Items:

- (a) The parties do not request a conference with the Court before the entry of the Scheduling Order.
- (b) The parties request a Pretrial Conference on or before August 22, 2023.
- (c) The parties are allowed until Monday, October 24, 2022, to amend pleadings.
- (d) The parties are allowed until Tuesday, November 22, 2022, to join additional parties.
- (e) All potentially dispositive motions should be filed by June 21, 2023.
- (f) Settlement potential of this case is unknown at this time. The parties contemplate potentially reaching a stay of the case until the Limitation Action captioned *In the Matter of William Daniel Andrews, Owner of 2015 Grady-White 25' +/- 257 Fisherman, HIN # NTLST262E515, NC Registration # NC 0969 EC, her engines, tackle, apparel, appurtenances, fittings etc.* is completed.
- (g) The parties will attend a Mediation on or before June 21, 2023. The parties will designate a mediator for this case pursuant to Local ADR Rule 101.1c(a).
- (h) The parties shall disclose witness lists, designation of witnesses whose testimony will be presented by depositions, and exhibit lists no later than August 7, 2023.
The parties shall file all objections by August 22, 2023
- (j) The case should be ready for trial by September 21, 2023, and at this time is expected to take approximately ten (10) days to try.
- (k) The parties do not presently consent to trial before a Magistrate Judge.

Respectfully submitted this 28th day of
June, 2022.

/s/ Justin K. Humphries

Justin K. Humphries
N.C. Bar No. 36833
The Humphries Law Firm, P.C.
1904 Eastwood Rd, Suite 310 A
Wilmington, NC 28403
Tel: 910-332-0721
Fax: 888-290-7817
Email: justin@humphriesfirm.law
Attorney for Plaintiff

/s/ Kyle J. Nutt

Kyle J. Nutt
N.C. Bar No. 43469
Reiss & Nutt PLLC
1221 Floral Parkway, Ste 104
Wilmington, NC 28403
Tel: 910-420- 4674
Email: kjnutt@reissnutt.com
Attorney for Defendant Andrews

/s/ Brian S. Akers

Brian S. Akers
N.C. State Bar No. 55723
ROUNTREE LOSEE LLP
2419 Market St.
Wilmington, NC 28403
Tel: 910-763-3403
Fax: 910-763-0080
Email: bakers@routreelosee.com
Attorney for Defendant Christopher Goss

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of June, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sent a notification of such filing to counsel of record.

To the best of my knowledge, there are no parties or attorneys who have appeared in this case who require service by U.S. Mail.

/s/ Justin K. Humphries
Justin K. Humphries